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REMARKS

Claims 1-8 and 11-26 were previously presented. Claims 9-10 were previously canceled. Accordingly, claims 1-8 and 11-26 are pending examination.

Rejection of Claims 1, 11, 17, and 22 Under 35 USC §103(a)

The only independent claims that remain pending are claims 1, 11, 17, and 22. In response to the previous Office Action, the Applicant argued that the cited art did not teach or suggest one or more elements from each of these claims. The current Office Action states that these arguments were persuasive. As a result, the current Office Action agrees that the cited art fails to teach or suggest each of the elements identified in the Applicant's prior amendment.

As we are all aware, the recent Supreme Court case of *KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1739 (2007) has provided new standards for obviousness rejections, however, a proper obviousness rejection still requires that the cited art teaches or suggests every element of the claims. This requirement has been set forth in case law with statements such as "obviousness requires a suggestion of all limitations in a claim." *CFMT, Inc. v. Yieldup Intern. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003) (citing *In re Royka*, 490 F.2d 981, 985 (CCPA 1974)). There is nothing in the *KSR* opinion that directly or indirectly overturned the requirement that the cited art teach or suggest every element of a claim properly rejected as obvious. Further, the Board of Patent Appeals and interferences continues to cite and apply this standard in decisions such as *Ex Parte H. Garrett Wada*, and *Matthew B. Murphy* (Appeal 2007-1925, decided on June 25, 2007). As a result, current law holds that an obviousness rejection is not properly supported unless the cited art teaches or suggests every element of the claims.

Since a proper obviousness rejection requires that the cited art teaches or suggests each of the claim elements, and the current Office Action agrees that the cited art does not teach or suggest all of the elements in each of claims 1, 11, 17, and 22, the claims are patentable over the cited art.

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The rejection of the pending claims are partially dependent on U.S. Patent Publication No. 2004-0161662 (Kim) being prior art. The Applicant does not concede that Kim is prior art and reserves the right to argue that Kim is not prior art.

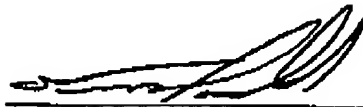
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CONCLUSION

The Examiner is encouraged to telephone the undersigned with any questions.

Respectfully submitted,



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